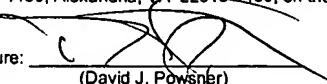




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Dated: 7/14/05 Signature: 
(David J. Powsner)

3713
B104

Docket No.: 104704-0008
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter Gaidarev et al.

Application No.: 10/005,217

Group Art Unit: 3713

Filed: December 5, 2001

Examiner: R. J. Mendoza

For: PAYOUT DISTRIBUTIONS FOR GAMES OF
CHANCE

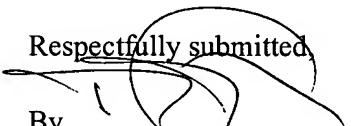
REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On October 29, 2004 an Information Disclosure Statement was filed (copy attached) but, apparently, mistakenly overlooked by the Examiner. At this time, applicant requests the Examiner's consideration of the previously filed Information Disclosure Statement.

Dated: 7/14/05

Respectfully submitted,


By _____

David J. Powsner

Registration No.: 31,868

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2000

Attorney for Applicant

Atty Docket No.: 104704-0008

Inventor: Peter Gaidarev et al.

Application No.: 10/005,217-Conf. #8598
Title: PAYOUT DISTRIBUTIONS FOR GAMES OF CHANCE



10/29/04

ocket No.: 104704-0008

ee: December 5, 2001

Atty Docket No.: 104704-0008

Inventor: Peter Gaidarev et al.

Application No.: 10/005,217-Conf. #8598
Title: PAYOUT DISTRIBUTIONS FOR GAMES OF CHANCE

Documents Filed:

Transmittal (1 page)

Supplemental Information Disclosure Statement (3 pages)

IDS (Citation) by Applicant (2 pages)

Fee Transmittal (1 page)

Check in the amount of \$180.00

Copies of 8 publications as cited herein

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Via: First Class Mail

Sender's Initials: DJP/cmr



Date: 10/29/04

Postcard (in duplicate)

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Sender's Initials: DJP/cmr

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Inventor: Peter Gaidarev et al.

Atty Docket No.: 104704-0008

Application No.: 10/005,217-Conf. #8598
Title: PAYOUT DISTRIBUTIONS FOR GAMES OF CHANCE

Documents Filed:

Transmittal (1 page)

Supplemental Information Disclosure Statement (3 pages)

IDS (Citation) by Applicant (2 pages)

Fee Transmittal (1 page)

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Date: 10/29/04

Nutter, McCiennen & Fish, LLP

World Trade Center West
155 Seaport Boulevard
Boston, MA 02210-2604

Check No. 42432

Date:

October 19, 2004

Citizens Bank

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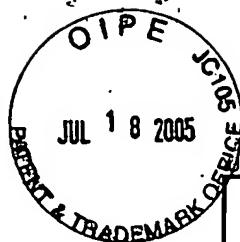
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/005,217-Conf. #8598
		Filing Date	December 5, 2001
		First Named Inventor	Peter Gaidarev
		Art Unit	3713
		Examiner Name	R. J. Mendoza
Total Number of Pages in This Submission		Attorney Docket Number	
		104704-0008	

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard (in duplicate)
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	IDS (citation) by Applicant with copies of 8 publications as cited therein
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Check in the amount of \$180.00
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	NUTTER MCGLENNEN & FISH LLP		
Signature			
Printed name	David J. Powsner		
Date	10/29/04	Reg. No.	31,868

571415.1

Transmittal

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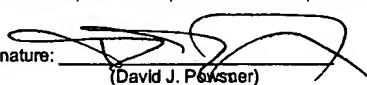
Dated: 10/29/04

Signature:

(David J. Powsner)



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Dated: 10/29/04 Signature: 
(David J. Povsaer)

Docket No.: 104704-0008
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter Gaidarev et al.

Application No.: 10/005,217

Confirmation No.: 8598

Filed: December 5, 2001

Art Unit: 3713

For: PAYOUT DISTRIBUTIONS FOR GAMES
OF CHANCE

Examiner: R. J. Mendoza

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the publications listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

The Applicant also calls the Examiner's attention to the following co-pending, commonly assigned U.S. Patent Applications:

U.S. Serial No.	Filing Date	Title
09/975,769	October 11, 2001	ESTIMATING THE SEASONALITY OF GROUPS OF SIMILAR ITEMS OF COMMERCE DATA SETS BASED ON HISTORICAL SALES DATA VALUES AND ASSOCIATED ERROR INFORMATION
10/165,041	June 7, 2002	MARKDOWN MANAGEMENT
09/263,979	March 5, 1999	INVENTORY AND PRICE DECISION SUPPORT
09/900,706	July 6, 2001	PRICE DECISION SUPPORT
09/826,378	April 4, 2001	ASSORTMENT DECISIONS
10/861,772	June 4, 2004	METHODS AND APPARATUS FOR RETAIL INVENTORY BUDGET OPTIMIZATION AND GROSS PROFIT MAXIMIZATION
10/891,458	July 14, 2001	METHODS AND APPARATUS FOR INVENTORY ALLOCATION AND PRICING

I hereby certify that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of each publication on the PTO/SB/08 is attached.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 104704-0008.

Dated: 6/29/04

Respectfully submitted,

By

David J. Powsner

Registration No.: 31,868

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2000

(617) 310-9000 (Fax)

Attorney for Applicant

1371412.1



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Substitute for form 1449A/B/PTO				Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/005,217-Conf. #8598
Sheet	1	of	1	Filing Date	December 5, 2001
				First Named Inventor	Peter Gaidarev
				Art Unit	3713
				Examiner Name	R. J. Mendoza
				Attorney Docket Number	104704-0008

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA	US-2002/0174119	11-21-2002	Kummamuru et al.		
AB	US-5,983,224	11-09-1999	SINGH et al.		
AC	US-6,496,834	12-17-2002	Cereghini et al.		
AD	US-6,397,166	05-28-2002	LEUNG et al.		
AE	US-6,092,049	07-18-2000	CHISLENKO et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
BA	JP-0200184239A		03-30-2001	Waseda et al.	
BB	EP-1271278 A2		02-01-2003	Teraoka et al.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

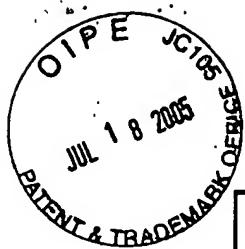
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	CA	Achabal et al., A Decision Support System for Vendor Managed Inventory, Winter 2000, Journal of Retailing, Vol. 76, No. 4, pg 430.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered
--------------------	--	-----------------

1371411



PTO/SB/92 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/005,217

Attorney Docket No.: 104704-0008

Certificate of Mailing under 37 CFR 1.8

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Alexandria, VA 22313-1450

on _____
Date _____

Signature

David J. Powsner

Typed or printed name of person signing Certificate

31,868
Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (and copies of cited publications)

1371411.



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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete If Known	
Application Number	10/005,217-Conf. #8598
Filing Date	December 5, 2001
First Named Inventor	Peter Gaidarev
Examiner Name	R. J. Mendoza
Art Unit	3713
Attorney Docket No.	104704-0008

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number	141449
Deposit Account Name	Nutter McClellan & Fish LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	430	2252	215
1253	980	2253	490
1254	1,530	2254	765
1255	2,080	2255	1,040
1401	340	2401	170
1402	340	2402	170
1403	300	2403	150
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,370	2453	685
1501	1,370	2501	685
1502	490	2502	245
1503	660	2503	330
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	** =			
Multiple Dependent				

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue Independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

** or number previously paid, if greater; For Reissues, see above

SUBTOTAL (3) (\$ 180.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	David J. Powsner	Registration No. (Attorney/Agent)	31,868	Telephone	(617) 439-2000
Signature				Date	

Fee Transmittal

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Dated: _____ Signature: _____ (David J. Powsner)